

**Probate Status Hearing Re: Termination of Proceeding for Deceased Conservatee
[Prob. C. 1860, et seq.]**

DOD: 11/27/11		<p>THEA WILKINS, daughter, was appointed Conservator of the Person and Estate on 03/03/09. Letters were issued on 06/02/09.</p> <p>The First Account & Report of Conservator was approved on 02/14/11.</p> <p>Notice of Death of Conservatee and Termination of Conservatorship of the Person was filed on 12/12/11.</p> <p>Notice of Status Hearing filed 06/07/12 set this matter for status on 07/13/12. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Nancy LeVan and Thea Wilkins on 06/07/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Final Account and Petition for Termination of Proceeding for Deceased Conservatee.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 07/09/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Hoehne</p>	

Atty Burnside, Leigh W. (for Dale L. Mell – grandson/Petitioner)

Atty Krbechek, Randolph (for Dale G. Mell – son/competing Petitioner/Objector)

Status Hearing

DOD: 05/29/09		<p>DALE L. MELL, grandson, filed a Petition for Probate seeking to be appointed as Administrator with Will Annexed on 03/08/12.</p> <p>DALE G. MELL, son/named Executor, filed a competing Petition for Probate on 04/12/12.</p> <p>Each party objected to the other's appointment as personal representative.</p> <p>Minute Order from hearing on 05/15/12 states: The Court orders Dale G. Mell to Lodge the original Will with the Probate Department forthwith. Mr. Krbechek requests that the matter be set for court trial. Trial estimate is less than three hours.</p> <p>Minute Order from Settlement Conference Hearing on 05/29/12, set this matter for status and states: Parties reach a resolution as follows: Parties agree that Dale L. Mell and Dale G. Mell will act as co-personal representatives and bond will be waived for Dale G. Mell with a possible waiver as to Dale L. Mell which will be worked out among counsel. Additionally, Ms. Burnside and Mr. Krbechek agree to act as co-counsel. Upon inquiry by the Court, the parties individually agree to the terms of the settlement. Counsel to prepare the order. The trial date on 06/12/12 is vacated.</p> <p>Order signed 06/25/12 states that bond is waived as to Dale G. Mell and Dale L. Mell shall post bond in the amount of \$158,600.00.</p> <p>As of 07/09/12, Letters have not issued.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need status update.</p> <p>Notes: As of 07/09/12, letters have not issued.</p> <p>The Original Will of Wilfred Mell was deposited with the Court on 05/17/12.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
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Sp.Ntc.			
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Letters			
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Order			
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Status Rpt			
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Reviewed by: JF

Reviewed on: 07/09/12

Updates:

Recommendation:

File 2 - Mell

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 10-10-08		<p>SHERRY M. MEALER, daughter, was appointed Administrator without bond on 12/09/08 and Letters were issued on 12/10/08.</p> <p>William Keeler filed a substitution of attorney subbing out as Ms. Mealer's attorney of record on 01/31/11.</p> <p>Status report filed 04/13/11 by Sherry Mealer states that she has been unable to file a Petition for Final Distribution due to the pending sale of the real property asset of the estate. The report states that a Petition for Final Distribution will be filed within 30 days of escrow closing.</p> <p>Petition for Allowance of Attorneys' Fees for Ordinary and Extraordinary Services and Costs filed 05/08/12 by Dowling Aaron, Incorporated was heard on 06/21/12.</p> <p>Notice of Status Hearing filed 06/15/12 set this matter for status. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Sherry Mealer on 06/15/12.</p> <p>Minute Order from 06/21/12 hearing on Attorney's fees states: Extraordinary and costs approved. Court grants statutory fee for only \$1,500.00 until closure or otherwise. Order will be revised.</p> <p>Declaration Re Graduated Filing Fee filed 07/03/12 by Sherry Mealer.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> Petition for Final Distribution filed 07/09/12 and set for hearing on 08/16/12</p> <p><u>Note:</u> According to pleadings filed by Ms. Mealer she is a resident of Chandler, Texas.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
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Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Atty Midkiff, Margaret (pro per – daughter/Administrator)

Atty Meisel, Eugenia (pro per – surviving spouse)

Probate Status Hearing Re: Filing of Inventory and Appraisal

Age:		MARGARET MIDKIFF , daughter, was appointed Administrator with bond set at \$5,000.00 on 04/14/11.	NEEDS/PROBLEMS/COMMENTS:	
DOD:				
Cont. from 061212		Notice of Motion and Motion to be Relieved as Counsel was filed 01/30/12 by Leigh Burnside of Dowling, Aaron & Keeler.	<u>OFF CALENDAR</u> Inventory & Appraisal filed 07/02/12	
Aff.Sub.Wit.				
Verified				
Inventory		Minute Order from hearing on 01/31/12 re: Filing of Bond and/or Issuance of Letters		
PTC		states: Ms. Midkiff has not been able to qualify for a bond in the amount of \$5K. Ms. Midkiff states that she has not spoken to Ms. Burnside since February 2010, not February 2011 as indicated in her Declaration filed.		
Not.Cred.		There is a retirement account in Nevada and property in Montana. Ms. Midkiff is to send a copy of the Declaration to Ms. Burnside. The Notice of Motion and Motion to be relieved as Counsel, with an affixed March hearing date is removed from calendar. Ms. Burnside [and her firm] is removed as counsel of record; however, as an Officer of the Court, Ms. Burnside is to meet with Ms. Midkiff and provide direction and information as to preparing an Inventory & Appraisal. Ms. Midkiff is appointed as Administrator, in pro per, with limited authority. The Minute Order also set this matter for status regarding filing of the Inventory & Appraisal.		
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt		Letters of Administration with Limited Powers were issued on 03/29/12.		
CI Report				Reviewed by: JF
9202				Reviewed on: 07/09/12
Order			Updates:	
Aff. Posting			Recommendation:	
Status Rpt			File 4 - Meisel	
UCCJEA				
Citation				
FTB Notice				